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7 TERRANCE TURNER,  
8 Plaintiff,  
9 v.  
10 EMPIRE-TODAY, TODAY'S SALES LLC,  
et al.,  
11 Defendants.  
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Case No. 22-cv-06994-JSC

**ORDER DISMISSING CASE**

Re: Dkt. Nos. 15, 16

13 On March 9, 2023, the Court adopted Judge Kandis Westmore's report and  
14 recommendation to dismiss Plaintiff's complaint for failure to state a claim and failure to comply  
15 with Rule 8 of the Federal Rules of Civil Procedure. (Dkt. No. 15.) The Court allowed Plaintiff to  
16 amend his complaint to cure the deficiencies Judge Westmore identified in her report and  
17 recommendation; namely, the complaint's failure state a plausible claim for relief.

18 Plaintiff has since filed an Amended Complaint, but it fails to cure the deficiencies the  
19 Court found warranted dismissal. (Dkt. No. 16.) While Plaintiff has narrowed the number of  
20 defendants to Empire Today as well as the claims pled, the Amended Complaint fails to state a  
21 plausible claim for relief and continues to plead frivolous claims including Defendant "only  
22 perform work assignment ventures with unhygienic workers, people who lack capacity to discern,  
23 anyone that looks like that they have rabies, any fat ugly black woman with bad hygiene, a rat nest  
24 of sewer and filth for hair." (Dkt. No. 16 at 4.) Further, the Court notes Plaintiff has filed nearly  
25 identical actions against other defendants in this District. *See Turner v. Patrice & Associates et*  
26 *al.*, No. 22-7490 LB; *Turner et al v. World Pay et al.*, No. 22-7753 CRB.

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Accordingly, the Court dismisses the action with prejudice for failure to state a claim. The Court will enter judgment by separate order.

## IT IS SO ORDERED.

Dated: May 9, 2023

Jacqueline Scott Corley  
JACQUELINE SCOTT CORLEY  
United States District Judge

United States District Court  
Northern District of California